

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL CASE NO. 3:09cv166**

NEWELL OPERATING COMPANY)	
<i>a Delaware Corporation doing</i>)	
<i>business as AMEROCK,</i>)	
)	
Plaintiff,)	
)	
vs.)	
)	
JVJ MAXWELL, INC.)	
<i>a Texas Corporation,</i>)	
)	
Defendant.)	
_____)	

FINAL CONSENT JUDGMENT

The parties, having informed the Court that they have reached an agreement with respect to a full and final compromise and settlement of all matters and all causes of action related to the above-captioned lawsuit, and having requested entry of this Final Consent Judgment; and, it appearing to the Court that the entry of this Final Consent Judgment is warranted;

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. Newell Operating Company d/b/a Amerock ("Amerock"), is a corporation organized and existing under the laws of Delaware.

The Amerock operating division of Newell Operating Company is headquartered at 8936 North Pointe Executive Park, Huntersville, NC 28078;

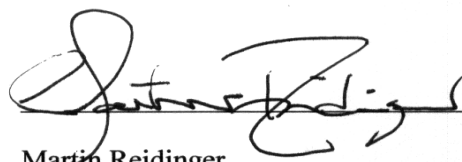
2. JVJ Maxwell, Inc. (“JVJ”) is a corporation organized and existing under the laws of the State of Texas, having a principal place of business at 8132 Moberly Lane, Dallas, TX 75227-2311;
3. On April 20, 2009 Amerock brought claims against JVJ for infringement of U.S. Design Patent No. D411,728 and U.S. Design Patent No. D411,793 (the “Amerock Patents”);
4. Amerock is the owner by assignment of all rights, title, and interest in and to the Amerock Patents;
5. JVJ has made a general appearance in this lawsuit, expressly waived formal service of process, and submitted to the jurisdiction of this Court;
6. This Court has jurisdiction over these parties and the subject matter herein, and venue is proper in this judicial district;
7. The Amerock Patents are valid and enforceable; and
8. JVJ and its officers, agents, servants, employees, and those persons in active concert or participation with JVJ are

permanently enjoined from directly and indirectly making, using, offering to sell, or selling within the United States or importing into the United States the “Greek Laurel Finger Pull” and “Greek Laurel 3 Cup Pull,” sold under Item Nos. 42608, 42609, 42612, 42620, 42646, 42808, 42809, 42812, 42820 and 42846, and any of the inventions claimed in the Amerock Patents, except as set forth in the parties’ settlement agreement, which has been filed under seal in the record of this matter, and is specifically incorporated herein by reference.

The Clerk is directed to send a copy of this Order to all counsel of record and to close this matter.

IT IS SO ORDERED.

Signed: August 7, 2009


Martin Reidinger
United States District Judge

